

FIRST REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 101
100TH GENERAL ASSEMBLY

Reported from the Committee on Seniors, Families and Children, February 28, 2019, with recommendation that the Senate Committee Substitute do pass.

0192S.02C

ADRIANE D. CROUSE, Secretary.

AN ACT

To amend chapter 209, RSMo, by adding thereto one new section relating to a statewide hearing aid distribution program.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 209, RSMo, is amended by adding thereto one new
2 section, to be known as section 209.245, to read as follows:

**209.245. 1. Subject to appropriations, the Missouri commission
2 for the deaf and hard of hearing shall establish a statewide hearing aid
3 distribution program to provide financial assistance to allow
4 individuals who are deaf or hard of hearing and whose household
5 income is at or below the federal poverty level to obtain hearing
6 aids. All assessment for need and distribution of hearing aids shall be
7 performed by audiologists or hearing instrument specialists licensed
8 under chapters 345 and 346 or physicians licensed under chapter 334.**

**9 2. There is hereby created in the state treasury the "Statewide
10 Hearing Aid Distribution Fund", which shall consist of moneys collected
11 under this section. The state treasurer shall be the custodian of the
12 fund. In accordance with sections 30.170 and 30.180, the state treasurer
13 may approve disbursements. The fund shall be a dedicated fund and,
14 upon appropriation, moneys in the fund shall be used solely for the
15 administration of this section. Notwithstanding the provisions of
16 section 33.080 to the contrary, any moneys remaining in the fund at the
17 end of the biennium shall not revert to the credit of the general
18 revenue fund. The state treasurer shall invest moneys in the fund in
19 the same manner as other funds are invested. Any interest and moneys
20 earned on such investments shall be credited to the fund. Funding for**

21 the statewide hearing aid distribution program shall not be allocated
22 from the assistive technology trust fund established under section
23 161.930 or the deaf relay service and equipment distribution program
24 fund under section 209.258. The Missouri commission for the deaf and
25 hard of hearing may accept gifts, donations, grants, and bequests from
26 individuals, private organizations, foundations, or other sources for the
27 purpose of establishment and operation of the statewide hearing aid
28 distribution program.

29 3. The Missouri commission for the deaf and hard of hearing may
30 promulgate rules to implement and administer the statewide hearing
31 aid distribution program under this section. Any rule or portion of a
32 rule, as that term is defined in section 536.010, that is created under
33 the authority delegated in this section shall become effective only if it
34 complies with and is subject to all of the provisions of chapter 536, and,
35 if applicable, section 536.028. This section and chapter 536 are
36 nonseverable, and if any of the powers vested with the general
37 assembly pursuant to chapter 536 to review, to delay the effective date,
38 or to disapprove and annul a rule are subsequently held
39 unconstitutional, then the grant of rulemaking authority and any rule
40 proposed or adopted after August 28, 2019, shall be invalid and void.

41 4. The Missouri commission for the deaf and hard of hearing may
42 enter into contracts as necessary to carry out the statewide hearing aid
43 distribution program including, but not limited to, contracts with
44 disability organizations.

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